

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN DIVISION**

CHARLENE MARTINEZ, individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

TD Bank USA, N.A., a National Bank,

Defendant.

Case No.:
1:15-cv-07712-JBS-AMD

Chief Judge
Jerome B. Simandle

Magistrate Judge
Ann Marie Donio

Motion Day:
December 7, 2015

NOTICE OF MOTION

**To: TD Bank USA, N.A.
c/o Corporation Service Company
830 Bear Tavern Road
West Trenton, New Jersey 08628**

PLEASE TAKE NOTICE that on Monday, December 7, 2015, at 9:00 a.m., or as soon thereafter as counsel may be heard, Plaintiff Charlene Martinez, through her undersigned counsel, shall appear before the Honorable Judge Jerome B. Simandle, or any judge sitting in his stead, at the United States Courthouse for the District of New Jersey, Camden Division, located at the Mitchell H. Cohen Building and U.S. Courthouse, 4th and Cooper Streets, Camden, New Jersey 08101, and then and there move the Court for an order granting ***Plaintiff's Motion for Class Certification***, a copy of which is hereby served upon you.

Respectfully submitted,

CHARLENE MARTINZ, individually and on
behalf of all others similarly situated,

Dated: October 29, 2015

By: s/ Stefan Coleman
One of Plaintiff's Attorneys

Stefan Coleman (#000382009)
law@stefancoleman.com
LAW OFFICES OF STEFAN COLEMAN, LLC
1072 Madison Avenue, Suite 1
Lakewood, New Jersey 08701
Tel: 877.333.9427
Fax: 888.498.8946

Rafey S. Balabanian*
rbalabanian@edelson.com
Benjamin H. Richman*
brichman@edelson.com
J. Dominick Larry*
nlarry@edelson.com
EDELSON PC
350 North LaSalle Street, Suite 1300
Chicago, Illinois 60654
Tel: 312.589.6370
Fax: 312.589.6378

Daniel G. Shay*
danielshay@sandiegobankruptcynow.com
LAW OFFICE OF DANIEL G. SHAY
409 Camino Del Rio South, Suite 101B
San Diego, California 92108
Tel: 619.222.7429
Fax: 866.431.3292

**Pro hac vice* admission to be sought.

Attorneys for Plaintiff and the Class.

CERTIFICATE OF SERVICE

I, Stefan Coleman, hereby certify that on October 29, 2015, I electronically filed the foregoing paper with the Clerk of the Court using the Court's CM/ECF electronic filing system, and have arranged for service of the same by process server at the address listed below:

**TD Bank USA, N.A.
c/o Corporation Service Company
830 Bear Tavern Road
West Trenton, New Jersey 08628**

Dated: October 29, 2015

By: s/ Stefan Coleman
One of Plaintiff's Attorneys